

Rec 18765
Mail Stop RCE

**REQUEST FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/838,544

Filing Date: April 20, 2001

First Named Inventor: Paul GILSON et al.

Group Art Unit: 3765

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Examiner: Peter P. NERBUN

NOV 26 2003

Attorney Docket Number: 08157.0011 TECHNOLOGY CENTER B3700

Attorney Customer Number: 22,852

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for patent term adjustment provisions of the AIPA. See "Changes to Application Examination and Provisional Application Practice," Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000). Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114: Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, application must request non-entry of such amendment.

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief of Reply Brief previously filed on [Date] _____.
- ii. ☐ Other _____
- b. ☒ Enclosed:
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of [number] months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other _____

3. Fees

- a. ☒ The filing fee is calculated as follows:
- i. ☒ \$770.00 RCE fee required under 37 C.F.R. § 1.17(e) 11/24/2003 SSANDARA 00000002 09838544 01 FC:1801 770.00 OP
- ii. ☐ Petition for extension of time for (Months) \$
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$770.00 is enclosed
- c. ☒ The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

Signature of Applicant, Attorney, or Agent Required

Name: Michael L. Woods

Reg. No.: 50,811

Signature:

Date: November 19, 2003

Certificate of Mailing or Transmission

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, MAIL STOP RCE, P.O. Box 1450, Alexandria, VA. 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: [Date]

Name: [Text]

Signature:

Date:

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PATENT
Customer No. 22,852
Attorney Docket No. 08157.0011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Paul GILSON et al.) Group Art Unit: 3765
)
Application No.: 09/838,544) Examiner: Peter P. Nerbun
)
Filed: April 20, 2001)
)
For: EMBOLIC PROTECTION SYSTEM)

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REC'D
NOV 26 2003
TECHNOLOGY

Sir:

TRANSMITTAL LETTER

Enclosed please find the following:


1. Request for Continued Examination ("RCE") (1 page)
2. Information Disclosure Statement Under 37 C.F.R. § 1.97(b) (2 pages)
3. Form PTO 1449 (10 pages)
4. Copies of 179 references corresponding to those listed on Form PTO 1449
5. Check for \$770.00 to cover the RCE fee

Please grant any extensions of time required and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 19, 2003

By: 
Michael L. Woods
Reg. No. 50,811

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